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Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE der the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 10/031,268 **TRANSMITTAL** Filing Date 20 APR 2000 **FORM** First Named Inventor **ELDERING** Art Unit 2611 (to be used for all correspondence after initial filing) **Examiner Name** BROWN, REUBEN M. Attorney Docket Number 138 T708-13 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a **Proprietary Information** After Final Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Change of Correspondence Address Status Letter Other Enclosure(s) (please **Terminal Disclaimer** Extension of Time Request Identify below): Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Cited References (131 pgs.) Document(s) Return Receipt Postcard Response to Missing Parts/ Certificate of Mailing Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Douglas J. Ryder, Esquire Reg. 43,073 Individual name Signature Date Adgust 10, 2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Patti Hespell Date August 10, 2004 Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

#### **CERTIFICATE OF TRANSMISSION/MAILING (37 CFR 1.8)**

**PATENT** 

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Date:	08/10/04	Tatt Xeisell
		Patti Hespell

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NUMBER 10/031,268	FILING DATE 20 APR 2000	FIRST NAMED INVENTOR ELDERING		ATTY. DKT. NO. T708-13
TITLE	ART UNIT	EXAMINER		
ADVERTISEMENT M	2611	BROWN,		
STREAMS				REUBEN M.

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §1.97, Applicants hereby wish to make of record the references listed on the accompanying PTO Forms SB/08A and 08B for consideration by the Examiner in the examination of the above-identified patent application. Copies of the patent documents are enclosed.

This Information Disclosure Statement is being submitted:

$\boxtimes$	(1)	within three (3) months of the filing date, entry into national phase in an international application or before the mailing date of the First Office Action; or
	(2)	after the period defined in (1) above but before the mailing date of a Final Rejection or Notice of Allowance, and
		Certification is made below, or
		The check, or authorization to charge deposit account no. 501535, in the amount of the fee set forth by 37 C.F.R. §1.17(p) is attached.
	(3)	after the mailing date of a Final Rejection or Notice of Allowance but before the payment of the Issue Fee, and

Applicant hereby Petitions the Commissioner to consider the attached references; Certification is made below and the fee is included.

Attached hereto is Form PTO-SB/08A and 8B listing documents believed to be relevant to the above-captioned application. It is respectfully requested that these documents be considered by the Examiner. The relevance of each non-English document will be discussed as follows:

#### **REMARKS:**

This disclosure statement should not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

It is believed that this disclosure complies with the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedures § 609. If for some reason the Examiner considers otherwise, it is requested that the undersigned be contacted by telephone promptly so that any deficiency can be remedied.

Some of the documents may have markings thereon. No significance is intended to be attached to the markings.

The submission of these documents is not intended to be deemed an admission that they constitute analogous art.



#### **CERTIFICATION**

## Applicant(s) certify that:

- (1) Each item or reference was cited in a communication from a foreign patent office in a corresponding foreign application not more than three months prior to the filing date of the Statement; or
- (2) No item or reference was cited in a communication from a foreign patent office in a corresponding foreign application or, to the knowledge of the Applicant(s), was not known more than three months prior to the filing of the Statement.

Respectfully submitted,

Dowglas J. Ryder Reg. No. 43,073

Date: 8/10/6 &

Expanse Networks, Inc. 6206 Kellers Church Road Pipersville, PA 18947

PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

Sheet 1

08/10/04

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known			
Application Number	10/031,268		
Filing Date	20 APR 2000		
First Named Inventor	ELDERING		
Art Unit	2611		
Examiner Name	BROWN, REUBEN M		
Attorney Docket Number	T708_13		

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (# known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	<sup>US-</sup> 10/049246	01-25-2002	HAMILTON	
	AB	<sup>US-</sup> 09/553637	04-20-2000	ELDERING	
	AC	<sup>US-</sup> 10/031142	11-09-2001	ELDERING	
	AD	<sup>US-</sup> 10/759620	01-16-2004	ELDERING	
		US-			
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		US-			
		US-			

Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code <sup>3</sup> "Number <sup>4</sup> "Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	
	ВА	CA 2303149	03-25-1999	KRAUSE et al		
	BB	CA 2264392	01-14-1999	KITAMURA		
						L
						L

Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



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on 8/15/04

- 1. Transmittal (1 pg.)
- 2. Information Disclosure Statement (3 pgs.)
- 3. PTO SB/08A (2 pgs.)
- 4. Cited References (131 pgs.)
- 5. Return Receipt Postcard

Signature
Patti Hespell

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

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